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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,664	08/03/2005	Heinz-Josef Lenz	064189-0604	8635
38706 7590 11/18/2008 FOLEY & LARDNER LLP 975 PAGE MILL ROAD PALO ALTO, CA 94304				
EXAMINER				
MYERS, CARLA J				
ART UNIT		PAPER NUMBER		
1634				
MAIL DATE		DELIVERY MODE		
11/18/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/522,664

Applicant(s)

LENZ ET AL.

Examiner

Carla Myers

Art Unit

1634

All participants (applicant, applicant's representative, PTO personnel):

(1) Carla Myers.(3) Michael Habert.(2) Antoinette Konski.

(4) ____.

Date of Interview: 17 November 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal (copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: ____.

Claim(s) discussed: ____.

Identification of prior art discussed: ____.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussed the enablement rejection as it pertains to a method of selecting a therapy comprising any fluoropyrimidine and any platinum drug. Also discussed amending the claims to clarify that the method is one which analyzes the nucleotide sequence of the ERCC1 gene to determine the nucleotides present at codon 118.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Carla Myers/
Primary Examiner, Art Unit 1634